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C O N F I D E N T I A L SECTION 01 OF 02 TOKYO 005536

SIPDIS

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STATE FOR D, G AND OES/OA - MHAYES/JFIELD AND EAP/J
USDOC FOR NOAA/NMFS - US IWC COMMISSIONER HOGARTH AND
MCCARTY

E.O. 12958: DECL: 12/11/2017

TAGS: [SENV](#) [EFIS](#) [KSCA](#) [IWC](#) [JA](#)

SUBJECT: WHALING: TENTATIVE AGREEMENT BY JAPAN NOT TO KILL
HUMPBCKS THIS SEASON

TOKYO 00005536 001.2 OF 002

Classified By: Ambassador J. Thomas Schieffer, Reasons 1.4 (b) (d)

11. (C) Summary: International Whaling Commission (IWC) Chairman Dr. William Hogarth and IWC Vice Chairman and Japan Fisheries Agency Deputy Director General Akira Nakamae, came to a tentative agreement for Japan to delay killing any humpback whales until after the June 2008 IWC annual meeting.

Because this year,s JARPA II hunt ends in April 2008, the agreement would effectively eliminate the possibility of Japan killing humpback whales until late 2008. Nakamae noted this agreement is tentative, subject to his ability to convince Diet members and others in the GOJ to accept such a delay. Nakamae made the point that Japan is willing to cooperate with Dr. Hogarth as the IWC Chair and expressed appreciation for his leadership and commitment to finding a way forward. He promised to fly to Washington December 18 to meet again with Dr. Hogarth. Dr. Hogarth asked the GOJ to delay killing humpbacks to allow the facilitation process he is proposing as Chair of the IWC time to see results. Dr. Hogarth and Nakamae also outlined their ideas for the March 2008 Interseasonal Meeting and June 2008 IWC annual meeting.
End Summary.

Interseasonal Focus on Process; IWC Focus on Deliverables

12. (C) The IWC Chairman (and U.S. Commissioner to the IWC), Dr. William Hogarth, met Fisheries Agency of Japan Deputy Director General Akira Nakamae, who is also IWC Vice-chairman, to discuss the planned IWC Interseasonal Meeting and way forward for the next IWC annual meeting on December 11 in Tokyo. Dr. Hogarth opened by saying he will remain as Chair of the IWC even after he resigns from the USG at the end of December 2007. He assured Nakamae the USG is committed to finding a way forward on the whaling issue.

13. (C) Dr. Hogarth went on to say he was pleased with the recent Steering Committee meeting and with the choice of Dr. Juma as facilitator of the Interseasonal Meeting. The March Interseasonal Meeting will make the participants comfortable with the process and provide them with case studies on how such an approach has worked in the past. Dr. Hogarth proposed the next IWC annual meeting focus on finding a way forward and forego resolutions, and subcommittee and committee meetings. It should not have the same agenda as

past IWC annual meetings, but focus on two to three issues that could be solved within 2008. There was a desire from the Steering Committee to make something happen.

¶4. (C) Nakamae agreed a focused agenda was best for the next IWC annual meeting. He promised as much cooperation as possible from the GOJ for the Intersessional Meeting. While he appreciated USG efforts to "normalize" the IWC, the LDP whaling caucus had advised that Japan must continue to work with pro-whaling countries as a "failsafe." Nakamae said an educational approach fostering common understanding is needed. The main agenda item for pro-whaling nations would be small-type coastal whaling, while "whale-watching activists" would want that issue included on the agenda. However, he was concerned by the "sharpening mood" of the Latin American countries, particularly concerning the proposed South Atlantic whale sanctuary. All parties must bring the various ideas together at the Intersessional Meeting for a successful outcome.

¶5. (C) Dr. Hogarth agreed good planning for the Intersessional Meeting is important to avoid derailing the process. One possible outcome would be to agree on a small negotiating team to put together a set of options to be discussed at the next IWC meeting. If the next IWC can show results in areas such as "community whaling" and restrictions on Antarctic whaling, it would show that the process works. Now is the best time to do this: while the U.S. is Chair and Japan is Co-chair.

Tentative Agreement not to Kill Humpbacks This Season

¶6. (C) Dr. Hogarth moved to the issue of Japan,s proposal to take humpback whales in JARPA II this year. He urged

TOKYO 00005536 002.2 OF 002

Japan delay taking any humpbacks until after the June IWC meeting to give the Chair's process time to work. He fears that killing humpback whales may cause a significant popular and political backlash in anti-whaling countries and could derail any negotiations. Nakamae at first gave the standard GOJ reply: since JARPA II is legal, Japan has no intention of stopping. The take of humpbacks is necessary to the research Japan is doing on whale stocks in the Antarctic and Japan has "no intention of changing the objectives of JARPA II." He added the outcome of the Anchorage meeting left Japanese politicians and others in the Japanese whaling community disappointed. Also, Japan could not be seen as backing down to Australia following its strong criticism of this year,s JARPA II.

¶7. (C) Nakamae then softened his tone, noting New Zealand,s recent willingness to discuss "community whaling." He asked what Japan could do as Vice Chair to support Dr. Hogarth,s effort to find a way forward. He said personally he would like to do his best to convince others in the GOJ that Japan should refrain from taking humpback whales. While he could not guarantee success in convincing all parties involved, the time is short. He would have to "streamline" the complex issues of whaling for them to understand. Nakamae said to convince others in the GOJ, he would like Dr. Hogarth to promise two things: 1) to set a deadline for a resolution to the STCW issue, and 2) a commitment from the USG not to criticize elements of Japan,s STCW program (e.g., commercial elements).

¶8. (C) Dr. Hogarth said that he told the Steering Committee the deadline for resolution of the STCW issue must be 2009. However, the IWC must find a way to recognize the importance of whale watching since the two are not mutually exclusive. He assured Nakamae the USG would like to see a solution and if the process moves forward he is certain there would be agreement within the USG. If Japan agreed to move forward, the U.S. and Japan as Chair and Co-chair could issue a

statement on timelines, etc. Nakamae replied he would try to persuade the Japanese side to delay taking humpbacks. He added that he would present this effort as Japan,s support as Vice Chair for Dr. Hogarth,s initiative. It should not be seen, however, as Japan giving in to Australian pressure. Nakamae said that he would like to come to Washington to see Dr. Hogarth on December 18, after he had consulted with Diet members. After that meeting he would prepare a new research plan that did not included humpback whales.

Comment

¶9. (C) Nakamae,s attitude was much more positive than in the past. His displeasure with the Australian stance and concerns over Latin American attitudes were obvious, but he was buoyed by New Zealand,s willingness to discuss community whaling and by the talk of a timeline for resolution of STCW.

However, his claimed need to consult Diet members is probably specious. His willingness to come to Washington so soon (only one week after this meeting) would indicate he already knows the Diet members will give a positive response.

In a meeting later that day, MOFA Director General for International Economic Affairs Yoichi Otabe said he fully supports Nakamae's position. He most likely wants to take advantage of the domestic public relations boost of announcing such an agreement from Washington.

¶10. (U) This cable was cleared by Dr. Hogarth.
SCHIEFFER